

AGENDA ITEM SUMMARY

Department: Planning

AGENDA ITEM # K-11

YMC

RESOLUTION NO.

A RESOLUTION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING FOR YEAR 13, FROM JULY 14, 2004 TO JULY 13, 2005, TEN THOUSAND SQUARE FEET OF COMMERCIAL FLOOR AREA TO BE AVAILABLE IN TWO ALLOCATIONS, THE FIRST ALLOCATION OF FIVE THOUSAND SQUARE FEET ON JANUARY 2005 AND THE REMAINDER TO BE HELD IN RESERVE FOR THE SECOND ALLOCATION IN JULY 2005, AND LIMITING THE APPLICATIONS TO 2,500 SQUARE FEET OR LESS.

WHEREAS, *Policy 101.3* of the Monroe County Year 2010 Comprehensive Plan (2010 Plan) requires Monroe County to regulate non-residential development to maintain a balance of land uses; and

WHEREAS, Section 9.5-124 Non-residential rate of growth ordinance (NROGO), approved by the Board in September 2001, provides for an allocation point system for non-residential floor area, which maintains the ratio of 239 square feet of non-residential floor area for each residential unit developed as required in the 2010 Plan; and

WHEREAS, the amount of non-residential floor area available for allocation in NROGO, through July 2005, is approximately 100,000 square feet; and

WHEREAS, applications for non-residential floor area for allocation awards in Year 12 exceeded the 16,000 square feet of floor area available for this NROGO allocation period which ended July 13, 2004; and

WHEREAS, the Planning Director recommended to the Planning Commission for the Year 13 annual allocation period that sixteen thousand (16,000) square feet of commercial floor area be made available in two allocations of 8,000 square feet, and that applications be limited to 2,500 square feet or less of floor area; and

WHEREAS, Section 9.5-124.4(g) provides for a recommendation by the Planning Commission and the Planning Director to the Board of County Commissioners of the total amount of non-residential floor area which shall be made available for the annual allocation and distribution of this allocation between small (2,500 square feet or less) and large size allocations; and

WHEREAS, the Planning Commission approved by Resolution to recommend to the Board of County Commissioners for the Year 13 annual NROGO allocation period that ten thousand (10,000) square feet of commercial floor area be made available in two allocations of 5,000 square feet, and that applications be limited to 2,500 square feet or less of floor area.

NOW THEREFORE; BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, for the Year 13 annual NROGO allocation period that ten thousand (10,000) square feet of commercial floor area be made available in two allocations of 5,000 square feet, the first allocation to be made in January 2005 and the second allocation to be made in July 2005, and that applications be limited to 2,500 square feet or less of floor area.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the 17 day of November, A.D., 2004.

Mayor Murray Nelson _____
Mayor Pro Tem David Rice _____
Commissioner Charles "Sonny" McCoy _____
Commissioner George Neugent _____
Commissioner Dixie Spehar _____

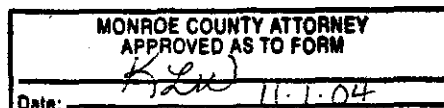
BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY _____
Mayor Murray Nelson

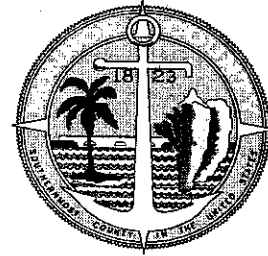
(SEAL)

ATTEST: DANNY KOHLAGE, CLERK

DEPUTY CLERK



Memorandum



TO: Monroe County Board of County Commissioners
FROM: K. Marlene Conaway, Director of Planning and Environmental Resources *KMC*
DATE: October 29, 2004
RE: Non-Residential Floor Area Evaluation Report Year 13 (July 2004-July 2005)

Background

Section 9.5-124.4 NROGO Allocations sets forth the procedures to be followed in allocating the available non-residential floor area. The "maximum annual allocation" and the distribution between the first and second allocation dates will be determined by the Board of County Commissioners, upon the recommendation of the Planning Director and the Planning Commission. The ordinance does not require the second allocation (semi-annual) to be made. This will provide flexibility in assuring the goals of the ordinance are being accomplished. In Year 10 the total square footage available for allocation was 22,150, of which 18,222 square feet was allocated. The Year 11 only 5,300 square feet of non-residential floor area was allocated from the total allowable allocation of 16,000 square feet. For Year 12 a total of 16,000 square feet of non-residential floor area was available for allocation, of which 15,689 square feet of floor area was allocated. One applicant requesting 970 square feet of floor area did not receive an allocation, and this application is carried over for consideration in Year 13.

Considerations

Several things need to be considered when determining the amount of non-residential floor area, which should be allocated annually. Following is a summary of some of the issues that should have a bearing on this decision:

1. The number of potential applicants for an upcoming year is unknown. At this time there is approximately 5,000 square feet of new commercial floor area under review. For the NROGO allocation point system and weighing criteria to be successful at directing development to the most appropriate locations, it is important to have competition for the available floor area.
2. In Year 12 the total floor area available for allocation was 16,000 square feet. The actual allocations made in this year total 15,689 square feet. The remaining 311 square feet is returned to the total amount of floor area available.
3. The residential allocations for Year 12 were 117 dwelling units. Due to the F.A.C. rule 28-10.100 the number of residential allocations for Year 13 is unknown. For every residential

allocation in an annual ROGO year, a corresponding 239 square feet of commercial floor area is added to the total available amount of floor area. Therefore the amount of floor area for Year 13 cannot be determined at this time.

4. The Livable CommuniKeys Program Master Planning process has not identified areas for allocations greater than 2500 square feet.
5. Until the market study is complete, the extent of overall and planning area specific market demand for new non-residential development is unknown.

Recommendation

The Planning Commission, at their meeting of September 8, 2004, reviewed the Planning Director's recommendation that 1) the maximum amount of available non-residential floor area is approximately 100,000 square feet, and the amount for the Year 13 NROGO allocation period, beginning July 2004 and ending July 2005, should be for 16,000 square feet. 2) Half the 16,000 square feet be allocated in the first period in January 2005 and the remainder held in reserve for the second allocation date of July 2005. 3) One hundred percent of the available floor area for each allocation period shall be for applications requesting 2,500 square feet or less.

The Planning Commission voted to recommend to the Board of County Commissioners that the maximum amount of available non-residential floor area for the Year 13 NROGO should be for 10,000 square feet. In the first allocation 5,000 square feet would be available, and the remaining 5,000 square feet in the second allocation. These allocations would be limited to applications of 2,500 square feet or less.

The Planning Director concurs with the Planning Commission recommendation that the 10,000 be made available in two allocations. The first allocation of 5,000 feet would be in January 2005, and the remainder to be held in reserve for the second allocation period of July 2005. These allocations would be for limited to applications of 2,500 square feet or less.

Cc. Timothy McGarry, Director
Growth Management Division